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Fulbright & Jaworski L.L.P.

*Laurie Olds*

#8  
DAC  
LUD 5615.1 CIP - NDH (10006411)

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JUN 20 2002

OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : JAGER, et al.  
Serial No. : 09/602,362  
Filed : June 22, 2000  
For : ISOLATED NUCLEIC ACID MOLECULES ENCODING  
CANCER ASSOCIATED ANTIGENS, THE ANTIGENS PER SE,  
AND USES THEREOF  
Group Art Unit : 2704  
Examiner : Unknown

June 7, 2002

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

PETITION TO REVIVE  
AN APPLICATION ABANDONED  
UNINTENTIONALLY  
(37 CFR §1.1376)

SIR:

Applicants hereby petition the USPTO to revive the above referenced patent application. The application may have been abandoned unintentionally. If the Commissioner determines that there was, in fact, abandonment, it is requested that the application be revived.

Please charge any fees due pursuant to 37 CFR §1.17(m) to Deposit Account 500624.

The facts that are relevant are the following.

On August 24, 2000, applicants received a Notice To File Missing Parts of an application. The Notice called for submission of an executed oath or declaration and a nucleotide sequence in computer readable form.

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Computer readable form of sequence information was mailed to the USPTO on August 31; however, declarations were not filed. Due to the intentional docketing system in place at the time, applicants' representative was not advised that there were still outstanding matters. When executed declarations were received, these were simply placed in the file wrapper, and not supplied to the USPTO.

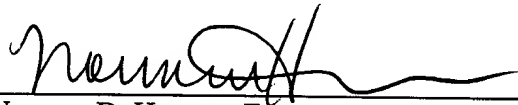
This was not noticed until the office action of May 15, 2002 issued, deeming the sequence listing filed on August 31, 2000 insufficient. While it can be argued that the USPTO ought to have made this determination well before May 15, 2002 (indeed, the fact that the computer readable form was insufficient was known by November 11, 2001), the fact remains that the signed declarations were not filed.

It is believed that the above narrative evidences that the abandonment was inadvertent and unintentional. A response is filed herewith, including replacement sequence information and executed declaration/power of attorney forms.

Favorable consideration of this petition is requested.

Respectfully submitted,

FULBRIGHT & JAWORSKI, L.L.P.



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